MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know whether the defaulting shop contractors were admitted to take part in the auction for the years 1109 and 1110?

MR. C. O. MADHAVAN (*Excise Commissioner*): There is an express provision that no defaulter will be admitted to the auction hall.

Misappropriation of Money by Official Receivers.

90. ❋ **MR. S. J. NAIR** (*Nedumangad*): With reference to the answers given to question No. 14 of the 8th Session of the 1st Assembly on the 28th July 1936, and also with reference to the specific answer given to part (*k*) of the question, that the Government have ordered that the loss sustained should be recovered from the Official Receiver concerned, will the Government be pleased to state:

(*a*) what action has been taken by them to recover the amount from the Official Receiver concerned;

(*b*) who is the Official Receiver;

(*c*) what is he now;

(*d*) whether the whole amount has actually been recovered;

(*e*) if the answer to part (*d*) is in the affirmative, when and how was it recovered;

(*f*) if the answer to part (*d*) is in the negative, why the amount has not yet been recovered; and

(*g*) with reference to answer to part (*j*) of the question that the Official Receiver reported that he had not received any rent, whether the Trivandrum District Court, under which he was the Official Receiver has enquired into the veracity of the report?

RAO BAHADUR RAJYASEVANIRATA DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*), (*b*) and (*c*). As a result of a representation put in by Mr. N. Raghava Aiyar, M. A., M. L., who was the then Official Receiver and who is now the District Munsiff at Quilon, the High Court have been requested to have an enquiry conducted so as to fix the responsibility for the amount in question on the person concerned.

(*d*), (*e*), (*f*) and (*g*). In view of answer to (*a*), (*b*) and (*c*) these do not arise.

MR. S. J. NAIR (*Nedumangad*): With reference to answer to part (*c*) it was answered ".....the Government have ordered that the loss sustained should be recovered from the Official Receiver concerned" and the present answer is ".....the High Court have been requested to have an enquiry conducted so as to fix the responsibility for the amount in question on the person concerned." May I know from Government how they had come to the conclusion on a former occasion that the Official Receiver should deposit the amount?

RAO BAHADUR RAJYASEANIRATA DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): On the basis of the records then available.

MR. S. J. NAIR (*Nedumangad*): May I know the reason why the Government have revised their former order and ordered the High Court to make the necessary investigation and put the responsibility upon them?

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RAO BAHADUR RAJYASEVANIRATA DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Because of a representation put in by the officer concerned for a revision of the order.

MR. S. J. NAIR (*Nedumangad*): May I know whether the Account Officer has audited the accounts in the District Court with reference to the Official Receiver's records?

RAO BAHADUR RAJYASEVANIRATA DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes, I think so.

MR. S. J. NAIR (*Nedumangad*): May I know whether he has found out any misappropriation so far as the Official Receiver's accounts are concerned?

RAO BAHADUR RAJYASEVANIRATA DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): It was found that the rent for a certain period was not collected.

MR. S. J. NAIR (*Nedumangad*): May I know who is responsible for the assets of the party after it is taken possession of by the Receiver?

RAO BAHADUR RAJYASEVANIRATA DR N. KUNJAN PILLAI (*Chief Secretary to Government*): The Official Receiver.

MR. S. J. NAIR (*Nedumangad*): May I know why in the present case the Official Receiver was not ordered to deposit the amount that he has appropriated?

RAO BAHADUR RAJYASEVANIRATA DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): He has put in a representation to say that he has not misappropriated the amount and that the responsibility rests with somebody else. On that representation Government have ordered a fresh enquiry.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know to what year this misappropriation relates?

RAO BAHADUR RAJYASEVANIRATA DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I believe it relates to 1099.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I know the reason for the delay in disposing of the matter?

RAO BAHADUR RAJYASEVANIRATA DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The Account Officer inspected the account and found out that the amount was not collected. The explanation of the Official Receiver was called for, and the District Judge enquired into the matter and reported to Government. On the basis of the District Judge's report Government ordered that the amount should be recovered from the Official Receiver. Then the Official Receiver put in a representation saying that he was not responsible for the money. The High Court was therefore asked to conduct a fresh enquiry.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know when the District Judge submitted his report?

RAO BAHADUR RAJYASEVANIRATA DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Some two or three years ago. I am not able to give the exact date now.

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MR. S. J. NAIR (*Nedumangad*): May I know whether the Official Receiver has admitted before the District Judge at any time that he wants time to deposit the amount?

RAO BAHADUR RAJYASEVANIRATA DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice. I have no information.

MR. A. EASWARA PILLAI (*Kalkulam II*): May I know the amount of the money misappropriated?

RAO BAHADUR RAJYASEVANIRATA DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Rs. 210.

Election of Members to the Legislature.

91. ❋ **MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state when is the date fixed for the coming elections to the Legislative Bodies?

RAO BAHADUR RAJYASEVANIRATA DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The date has not yet been fixed.

MR. S. J. NAIR (*Nedumangad*): May I know whether the Government will be pleased to fix the date of election in the summer season instead of winter?

RAO BAHADUR RAJYASEVANIRATA DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): As far as possible convenient dates will be fixed.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether he is aware that by the 12th of Medom the winter season begins in Malabar?

RAO BAHADUR RAJYASEVANIRATA DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): As far as I know there is no winter season in Malabar.

The Attingal Municipality.

92. ❋ **MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) how long since the official President has been appointed to the Attingal Municipality;

(*b*) for how many years the Municipality exercised the right of electing non-official Presidents;

(*c*) how many non-official Presidents have been successively elected in the Municipality; and

(*d*) when was the non-official President superseded by the official President?

RAO BAHADUR RAJYASEVANIRATA DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) From the 9th Meenam 1102.

(*b*) 5 years.

(*c*) 3.

(*d*) On the 9th Meenom 1102.

MR. S. J. NAIR (*Nedumangad*): May I know why the Municipality at Attingal is not given the privilege of electing a non-official President?

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